

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

**IN RE: TERRORIST ATTACKS ON       :**  
**SEPTEMBER 11, 2001                :**       **03-MDL-1570 (GBD)(SN)**

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This Document Relates To:

*Burnett, et al. v. Al Baraka Inv. & Dev. Corp., et al.*, Case No. 03-cv-9849 (GBD)(SN)

**[proposed order re:] CERTAIN PLAINTIFFS' MOTION FOR  
ENTRY OF DEFAULT JUDGMENTS AGAINST THE TALIBAN**

Upon consideration of the Motion, evidence, and arguments of Plaintiffs Mindy Kleinberg, as Personal Representative of the Estate of Alan D. Kleinberg, Deceased; Mindy Kleinberg; Lauren Nicole Kleinberg; Sam Eric Kleinberg; Jacob Kleinberg; Lorie Van Auken, as Personal Representative of the Estate of Kenneth Van Auken, Deceased; Lorie Van Auken; Matthew Van Auken; Sarah Van Auken; Patricia D. Casazza, as Personal Representative of the Estate of John Francis Casazza, Deceased; Patricia D. Casazza; and John F. Casazza, each of whom are a decedent killed in the terrorist attacks of September 11, 2001, or an immediate family member of such a decedent, for a Final Default Judgment against the Taliban in the amounts previously established, found, and entered as pain-and-suffering and economic damages or solatium damages in favor of said Plaintiffs against other defendants in this action and as reflected on Exhibit A and Exhibit B to their Motion, together with the entire record in this case, it is **HEREBY:**

**ORDERED** that each Plaintiff estate listed in Exhibit A is awarded damages for conscious pain and suffering against the Taliban in the amount of \$2,000,000 per decedent, specifically;

- Mindy Kleinberg, as Personal Representative of the Estate of Alan D. Kleinberg, Deceased -- \$2,000,000

- Lorie Van Auken, as Personal Representative of the Estate of Kenneth Van Auken, Deceased -- \$2,000,000
- Patricia D. Casazza, as Personal Representative of the Estate of John Francis Casazza, Deceased -- \$2,000,000

**ORDERED** that each Plaintiff estate listed in Exhibit A is awarded damages for economic loss against the Taliban in the amounts set forth in Exhibit A, specifically:

- Mindy Kleinberg, as Personal Representative of the Estate of Alan D. Kleinberg, Deceased -- \$51,711,383
- Lorie Van Auken, as Personal Representative of the Estate of Kenneth Van Auken, Deceased -- \$7,085,037
- Patricia D. Casazza, as Personal Representative of the Estate of John Francis Casazza, Deceased -- \$21,897,195

**ORDERED** that each individual listed in Exhibit B is awarded is awarded solatium damages against the Taliban in the following amounts:

- Mindy Kleinberg -- \$12,500,000
- Lauren Nicole Kleinberg -- \$8,500,000
- Sam Eric Kleinberg -- \$8,500,000
- Jacob Kleinberg -- \$8,500,000
- Lorie Van Auken -- \$12,500,000
- Matthew Van Auken -- \$8,500,000
- Sarah Van Auken -- \$8,500,000
- Patricia D. Casazza -- \$8,500,000
- John F. Casazza -- \$8,500,000

**ORDERED** that all Plaintiffs are entitled to and are awarded pre-judgment interest on the non-economic damages' components of such awards in the amount of 4.96 percent per annum, compounded annually for the period from September 11, 2001, until the date of the final judgment for damages;

**ORDERED** that all Plaintiffs may submit an application for punitive damages, or other damages (to the extent such awards have not been previously ordered), at a later date consistent with any future rulings made by this Court on this issue.

Dated: New York, New York

\_\_\_\_\_, 2022

**SO ORDERED:**

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**GEORGE B. DANIELS**  
**United States District Judge**